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B I L L

TO

Confirm two Provisional Orders of the Local Government Board for Ireland relating to the Towns of Fethard and Skibbereen. A.D. 1900.

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereto under the Public Health (Ireland) Act 1878 and the Local Government (Ireland) Act 1898: 41 & 42 Vict. c. 52. 61 & 62 Vict. c. 37.

5 And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled 10 and by the authority of the same as follows:—

1. The Orders set out in the schedule hereto are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (No. 2) Act 1900. Short title.

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A.D. 1900.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Fethard.

TOWN OF FETHARD.

41 & 42 Vict. c. 52.

WHEREAS by section seven of the Public Health (Ireland) Act 1878 as amended by Article thirty-two of the Local Government (Adaptation of Irish Enactments) Order 1899 the Local Government Board for Ireland are empowered by provisional order to separate from a rural sanitary district any town or district wholly situate therein in which there are town or township commissioners under any Act of Parliament whether the number of the inhabitants of such town or district is more or less than six thousand and to constitute it an urban sanitary district to be thereafter subject to all the provisions of the said Act of 1878 as amended by the provisions of the Local Government (Ireland) Act 1898 affecting urban sanitary districts.

61 & 62 Vict. c. 37.

41 & 42 Vict. c. 52.

And whereas it is further enacted by the said section seven of the said Act of 1878 that no such provisional order shall be made except on petition from one or other of the towns townships or districts affected by such order nor in the event of any objection being taken by any person affected thereby until after due local inquiry:

61 & 62 Vict. c. 37.

And whereas by sub-section (1) of section forty-two of the said Local Government (Ireland) Act 1898 it is enacted in effect that where a town has a population exceeding one thousand five hundred according to the last published census for the time being but is not an urban sanitary district any order of the said Local Government Board constituting such town an urban sanitary district shall unless within three months after the order is published the Board receive a petition against it from at least one-fourth of the local government electors within the town or from the guardians of the union or council of the rural district comprising the town or any part thereof take effect without the authority of Parliament and that a certificate of the Board that no such petition has been received and that the order has taken effect shall be conclusive evidence of those facts:

And whereas it is further enacted by sub-section (3) of the said section forty-two of the said Act of 1898 that an order made after the passing of that Act for constituting a town an urban sanitary district shall contain such provisions as may seem necessary or expedient for adapting the provisions of that Act in respect to public works and making an adjustment of property rights and liabilities:

61 & 62 Vict. c. 37.

And whereas it is enacted by sub-section (1) of section one hundred and nine of the said Act of 1898 that in that Act unless the context otherwise requires the expression "town" means the area comprised in any town or township

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having commissioners under the Lighting of Towns (Ireland) Act 1828 or the Towns Improvement (Ireland) Act 1854 or any local Act : A.D. 1900.

Fethard.

And whereas it is enacted by sub-section (1) of section twenty-two of the said Act of 1898 that all urban sanitary authorities shall be called urban district 5 councils and that their districts shall be called urban districts : 9 Geo. 4. c. 82. 17 & 18 Vict. c. 103.

And whereas the town of Fethard is a town having commissioners under the Towns Improvement (Ireland) Act 1854 and has a population exceeding one thousand five hundred according to the now last published census : 17 & 18 Vict. c. 103.

And whereas the town of Fethard is situated in and forms part of the rural 10 district of Cashel in the administrative county of Tipperary (South Riding) :

And whereas We the Local Government Board for Ireland have received a petition from the town of Fethard praying that the said town may be separated from the rural district of Cashel in the administrative county of Tipperary (South Riding) and be constituted an urban sanitary district :

15 And whereas all advertisements and notices required by the said Act of 1878 having been previously duly published served and given We the Local Government Board for Ireland have caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition and it appears to Us to be proper to assent thereto : 41 & 42 Vict. c. 52.

20 Now therefore We the Local Government Board for Ireland acting in pursuance of the above-cited provisions of the Public Health (Ireland) Act 1878 and the Local Government (Ireland) Act 1898 do hereby order and direct as follows :— 41 & 42 Vict. c. 52. 61 & 62 Vict. c. 37.

1. From and after the first day of April in the year nineteen hundred unless 25 within three months of the date of this present order we receive a petition against such order from at least one-fourth of the local government electors within the town of Fethard or from the board of guardians of Cashel union or from the rural district council of Cashel and if any such petition is so received by Us and if this order is confirmed by Parliament 30 then from and after the first day of October or the first day of April (whichever may first occur) next after such confirmation the town of Fethard shall be separated from the rural district of Cashel in the administrative county of Tipperary (South Riding) and shall be constituted an urban sanitary district (hereinafter called the urban district of Fethard) 35 subject to all the provisions of the Public Health (Ireland) Acts 1878 to 1896 as amended by the provisions of the Local Government (Ireland) Act 1898 affecting urban sanitary districts. 41 & 42 Vict. c. 52. 59 & 60 Vict. c. 54. 61 & 62 Vict. c. 37.

2. To the urban sanitary authority of the urban district of Fethard constituted by the foregoing article of this order (hereinafter called the urban district 40 council of Fethard) there shall be transferred :—

(*a.*) The business of the rural district council of Cashel in respect to public works so far as respects the said urban district constituted as aforesaid ; and

(*b.*) So far as respects the said urban district the business of the county 45 council of the administrative county of Tipperary (South Riding) in

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A.D. 1900.

Fethard.

relation to public works the expense of the maintenance of which is not wholly or partly leviable off the county-at-large.

3. Any adjustment of property rights and liabilities which may become necessary for the full and effectual carrying out of this Order shall be made as between the urban district council of Fethard and the county council of the administrative county of Tipperary (South Riding) or as between the said urban district council and the rural district council of Cashel or as between the said urban district council and the board of guardians of the union of Cashel or as between the said urban district council and any other persons whatsoever in manner provided by Article thirty of the schedule to the Local Government (Application of Enactments) Order 1898.

4. The costs and expenses of the Town Commissioners of the said town of Fethard and of the Local Government Board for Ireland incurred in respect of the application for preparation and making of this order and in the event of a petition being received as aforesaid of the confirmation of this order by Parliament shall be paid by the urban district council of Fethard out of and by means of the rates leviable under the Towns Improvement (Ireland) Act 1854 as amended by the Public Health (Ireland) Acts 1878 to 1896 and the Local Government (Ireland) Act 1898.

17 & 18 Vict. c. 103. 41 & 42 Vict. c. 52. 59 & 60 Vict. c. 54. 61 & 62 Vict. c. 37.

5. This Order may be cited as the town of Fethard Urban District Order 1899.

Sealed with our seal this Fourteenth day of November in the year of our Lord one thousand eight hundred and ninety-nine.

(Signed) G. W. Balfour.
H. A. Robinson.
T. J. Stafford.
R. Bagwell.

The Local Government Board for Ireland.

Skibbereen.

TOWN OF SKIBBEREEN.

41 & 42 Vict. c. 52.

Whereas by section seven of the Public Health (Ireland) Act 1878 as amended by Article thirty-two of the Local Government (Adaptation of Irish Enactments) Order 1899 the Local Government Board for Ireland are empowered by provisional order to separate from a rural sanitary district any town or district wholly situate therein in which there are town or township commissioners under any Act of Parliament whether the number of the inhabitants of such town or district is more or less than six thousand and to constitute it an urban sanitary district to be thereafter subject to all the provisions of the said Act of

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A.D. 1900.

Skibbereen.

1878 as amended by the provisions of the Local Government (Ireland) Act 1898 affecting urban sanitary districts :

61 & 62 Vict. c. 37.

And whereas it is further enacted by the said section seven of the said Act of 1878 that no such provisional order shall be made except on petition from one or other of the towns townships or districts affected by such order nor in the event of any objection being taken by any person affected thereby until after due local inquiry :

41 & 42 Vict. c. 52.

And whereas by sub-section (1) of section forty-two of the said Local Government (Ireland) Act 1898 it is enacted in effect that where a town has a population exceeding one thousand five hundred according to the last published census for the time being but is not an urban sanitary district any order of the said Local Government Board constituting such town an urban sanitary district shall unless within three months after the order is published the Board receive a petition against it from at least one-fourth of the local government electors within the town or from the guardians of the union or council of the rural district comprising the town or any part thereof take effect without the authority of Parliament and that a certificate of the Board that no such petition has been received and that the order has taken effect shall be conclusive evidence of those facts :

61 & 62 Vict. c. 37.

And whereas it is further enacted by sub-section (3) of the said section forty-two of the said Act of 1898 that an order made after the passing of that Act for constituting a town an urban sanitary district shall contain such provisions as may seem necessary or expedient for adapting the provisions of that Act in respect to public works and making an adjustment of property rights and liabilities :

And whereas it is enacted by sub-section (1) of section one hundred and nine of the said Act of 1898 that in that Act unless the context otherwise requires the expression "town" means the area comprised in any town or township having commissioners under the Lighting of Towns (Ireland) Act 1828 or the Towns Improvement (Ireland) Act 1854 or any local Act :

61 & 62 Vict. c. 37.

9 Geo. 4. c. 82.

17 & 18 Vict. c. 103.

And whereas it is enacted by sub-section (1) of section twenty-two of the said Act of 1898 that all urban sanitary authorities shall be called urban district councils and that their districts shall be called urban districts :

And whereas the town of Skibbereen is a town having commissioners under the Towns Improvement (Ireland) Act 1854 and has a population exceeding one thousand five hundred according to the now last published census :

17 & 18 Vict. c. 103.

And whereas the town of Skibbereen is situated in and forms part of the rural district of Skibbereen in the administrative county of Cork :

And whereas We the Local Government Board for Ireland have received a petition from the town of Skibbereen praying that the said town may be separated from the rural district of Skibbereen in the administrative county of Cork and be constituted an urban sanitary district :

And whereas all advertisements and notices required by the said Act of 1878 having been previously duly published served and given We the Local Government Board for Ireland have caused a local inquiry to be made as to the propriety

41 & 42 Vict. c. 52.

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A.D. 1900.

Skibbereen.

of assenting to the prayer of the said petition and it appears to Us to be proper to assent thereto:

Now therefore We the Local Government Board for Ireland acting in pursuance of the above-cited provisions of the Public Health (Ireland) Act 1878 and the Local Government (Ireland) Act 1898 do hereby order and direct as follows:—

41 & 42 Vict. c. 52. 61 & 62 Vict. c. 37.

1. From and after the first day of April in the year nineteen hundred unless within three months of the date of this present order we receive a petition against such order from at least one-fourth of the local government electors within the town of Skibbereen or from the board of guardians of Skibbereen union or from the rural district council of Skibbereen and if any such petition is so received by Us and if this order is confirmed by Parliament then from and after the first day of October or the first day of April (whichever may first occur) next after such confirmation the town of Skibbereen shall be separated from the rural district of Skibbereen in the administrative county of Cork and shall be constituted an urban sanitary district (hereinafter called the urban district of Skibbereen) subject to all the provisions of the Public Health (Ireland) Acts 1878 to 1896 as amended by the provisions of the Local Government (Ireland) Act 1898 affecting urban sanitary districts.

41 & 42 Vict. c. 52. 59 & 60 Vict. c. 54. 61 & 62 Vict. c. 37.

2. To the urban sanitary authority of the urban district of Skibbereen constituted by the foregoing article of this order (hereinafter called the urban district council of Skibbereen) there shall be transferred:—

(*a.*) The business of the rural district council of Skibbereen in respect to public works so far as respects the said urban district constituted as aforesaid: and

(*b.*) So far as respects the said urban district the business of the county council of the administrative county of Cork in relation to public works the expense of the maintenance of which is not wholly or partly leviable off the county-at-large.

3. Any adjustment of property rights and liabilities which may become necessary for the full and effectual carrying out of this order shall be made as between the urban district council of Skibbereen and the county council of the administrative county of Cork or as between the said urban district council and the rural district council of Skibbereen or as between the said urban district council and the board of guardians of the union of Skibbereen or as between the said urban district council and any other persons whatsoever in manner provided by Article thirty of the schedule to the Local Government (Application of Enactments) Order 1898.

4. The costs and expenses of the town commissioners of the said town of Skibbereen and of the Local Government Board for Ireland incurred in respect of the application for preparation and making of this order and in the event of a petition being received as aforesaid of the confirmation of this order by Parliament shall be paid by the urban district council of Skibbereen out of and by means of the rates leviable under the Towns Improvement (Ireland) Act 1854 as amended by the Public Health

17 & 18 Vict. c. 103.

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A.D. 1900.

Skibbereen.

41 & 42 Vict. c. 52.
59 & 60 Vict. c. 54.
61 & 62 Vict. c. 37.

(Ireland) Acts 1878 to 1896 and the Local Government (Ireland) Act 1898.

5. This order may be cited as the town of Skibbereen Urban District Order 1899.

5 Sealed with our seal this Fourteenth day of November in the year of our Lord One thousand eight hundred and ninety-nine.

(L.S.) (Signed) G. W. Balfour.
H. A. Robinson.
T. J. Stafford.
10 R. Bagwell.

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Local Government (Ireland) Provisional Orders (No. 2).

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B I L L

To confirm two Provisional Orders of the Local Government Board for Ireland relating to the Towns of Fethard and Skibbereen.

(*Prepared and brought in by Mr Attorney-General for Ireland and Mr. Gerald Balfour.*)

Ordered, by The House of Commons, *to be Printed,* 27 *March* 1900

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